

JOHNSTON CITY COUNCIL
COUNCIL MEETING NO. 16-04
Johnston City Hall, 6221 Merle Hay Road
TUESDAY, February 16, 2016
7:00 p.m.

1. CALL TO ORDER

Mayor Dierenfeld called the meeting to order at 7:13 p.m.

2. ROLL CALL

Present: Clabaugh, Brown, Cope, Temple
Absent: Lindeman

3. WELCOME

Mayor Dierenfeld welcomed residents and guests to the meeting

4. PLEDGE OF ALLEGIANCE

Members of the Johnston Running Club led the meeting in the Pledge.

5. AGENDA APPROVAL

Motion by Temple second by Cope to approve the agenda as presented.

ROLL CALL: Aye: Brown, Cope, Temple, Clabaugh
Nay: None
Motion Approved: 4-0

6. PUBLIC COMMUNICATIONS

a. Walnut Creek Watershed presentation

Greg Pierce, Water Resources Engineer at RDG Planning & Design, reviewed the Watershed Management Plan Update.

b. Mayor's Run for the Trails check presentation

John Urban of the Johnston Running Club presented the proceeds from their 4th Annual Mayor's Run for the Trails 5K as well as a \$700 donation to the City. Parks Director John Schmitz noted that the \$1500 donation would go towards a water station in the picnic area at Terra Park.

c. Design Alliance presentation of LEED plaque for the Public Safety Building

David Harrison of Design Alliance presented the Silver LEED plaque to the City, noting that this was a culmination of a 5-year relationship. He thanked the Mayor, Council, Chief of Police, Fire Chief, and the Public Safety Committee for their hard work in attaining the certification.

d. Grimes Walmart donation presentation

Chief of Police Bill Vaughn presented a certificate of appreciation to Rose Hanke, store manager of the Grimes Walmart, for their donation of funds which were used to purchase kid-friendly items for the family waiting room at the Public Safety Building.

7. PUBLIC HEARINGS

a. Conduct a Public Hearing on the issuance of not to exceed \$5,745,000 General Obligation Bonds Series 2016A and consider Resolution No. 16-40 – Instituting proceedings to take additional action for the issuance of not to exceed \$5,745,000 General Obligation Bonds, Series 2016A.

The Public Hearing opened at 7:57 p.m.

Finance Director Teresa Rotschafer reviewed the purpose of the bond issuance and the associated projects. There were no public comments.

The Public Hearing closed at 7:59 p.m.

Motion by Clabaugh second by Cope to approve Resolution No. 16-40.

ROLL CALL: Aye: Cope, Temple, Clabaugh, Brown
 Nay: None
Motion Approved: 4-0

- b. Conduct a Public Hearing on the issuance of not to exceed \$2,580,000 General Obligation Bonds Series 2016A and consider Resolution No. 16-41 – Instituting proceedings to take additional action for the issuance of not to exceed \$2,580,000 General Obligation Bonds, Series 2016A.

The Public Hearing opened at 8:00 p.m.
Finance Director Teresa Rotschafer reviewed the purpose of the issuance as well as the associated projects.
There were no public comments received.
The Public Hearing closed at 8:02 p.m.

Motion by Clabaugh second by Brown to approve Resolution No. 16-41.
ROLL CALL: Aye: Temple, Clabaugh, Brown, Cope
 Nay: None
Motion Approved: 4-0

- c. Conduct a Public Hearing on the issuance of not to exceed \$175,000 General Obligation Bonds Series 2016A and consider Resolution No. 16-42 – Instituting proceedings to take additional action for the issuance of not to exceed \$175,000 General Obligation Bonds, Series 2016A.
The Public Hearing opened at 8:03 p.m.

Mayor Dierenfeld announced that this was the time and place for the Public Hearing and meeting on the matter of the issuance of not to exceed \$175,000 General Obligation Bonds, in order to provide funds to pay the costs of the undertaking of a fiber optic project jointly and in cooperation with the Johnston Community School District, for a general corporate purpose, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa. Mayor Dierenfeld asked the Clerk whether any petition had been filed in the Clerk’s office, in the manner provided by Section 362.4 of the Code of Iowa and the Clerk reported that no such petition had been filed, requesting that the issuing of the Bonds be submitted to the qualified electors of the City. The Mayor then asked if any written objections had been filed by any resident or property owner of the City to the issuance of the Bonds. The Clerk advised that no written objections had been filed. The Mayor then called for oral objections to the Bonds and none were made. Whereupon the Mayor declared the time for receiving oral and written objections to be closed.
Finance Director Teresa Rotschafer asked if there were questions about the issuance or the projects. There were none.
The Mayor declared the hearing on the issuance of the Bonds to be closed.

The Public Hearing closed at 8:05 p.m.

Motion by Temple second by Cope to approve Resolution No. 16-42.
ROLL CALL: Aye: Clabaugh, Brown, Cope, Temple
 Nay: None
Motion Approved: 4-0

- d. Conduct a Public Hearing on the issuance of not to exceed \$700,000 General Obligation Bonds Series 2016A and consider Resolution No. 16-43 – Instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds, Series 2016A.

The Public Hearing opened at 8:06 p.m.
Mayor Dierenfeld announced that this was the time and place for the Public Hearing and meeting on the matter of the issuance of not to exceed \$175,000 General Obligation Bonds, in order to provide funds to pay the costs of the undertaking of a fiber optic project jointly and in cooperation with the Johnston

Community School District, for a general corporate purpose, and that notice of the proposal to issue the Bonds and the right to petition for an election had been published as provided by Section 384.26 of the Code of Iowa. Mayor Dierenfeld asked the Clerk whether any petition had been filed in the Clerk's office, in the manner provided by Section 362.4 of the Code of Iowa and the Clerk reported that no such petition had been filed, requesting that the issuing of the Bonds be submitted to the qualified electors of the City. The Mayor then asked if any written objections had been filed by any resident or property owner of the City to the issuance of the Bonds. The Clerk advised that no written objections had been filed. The Mayor then called for oral objections to the Bonds and none were made. Whereupon the Mayor declared the time for receiving oral and written objections to be closed.

Finance Director Teresa Rotschafer asked if there were questions about the issuance or the projects. There were none.

The Mayor declared the hearing on the issuance of the Bonds to be closed.

The Public Hearing closed at 8:08 p.m.

Motion by Clabaugh second by Cope to approve Resolution No. 16-43.

Council Member Cope asked for a project timeline on the NW Beaver Drive Trail project. Parks Director John Schmitz noted that he would provide one to the Council.

ROLL CALL: Aye: Brown, Cope, Temple, Clabaugh

 Nay: None

Motion Approved: 4-0

- e. Conduct a Public Hearing and consider the following items related to the NW 60th Avenue Improvements Phase 4A project:

- Resolution No. 16-45 – Adopting Plans, Specifications, form of contract, and estimate of cost;
- Consideration of construction bids;
- Resolution No. 16-46 – Making Award of Contract;
- Resolution No. 16-47 – Approving Construction Contract and Bond.

The Public Hearing opened at 8:10 p.m.

Construction Inspector Matt Greiner reviewed the project bids, which came in slightly under the Engineer's Opinion of Probable Cost and noted that staff and the Engineer were recommending award of the contract to Rognes Corporation, the low bidder.

The Public Hearing closed at 8:13 p.m.

Motion by Temple second by Cope to approve Resolution No. 16-45.

ROLL CALL: Aye: Cope, Temple, Clabaugh, Brown

 Nay: None

Motion Approved: 4-0

Motion by Brown second by Cope to approve Resolution No. 16-46.

ROLL CALL: Aye: Temple, Clabaugh, Brown, Cope

 Nay: None

Motion Approved: 4-0

Motion by Brown second by Cope to approve Resolution No. 16-47.

ROLL CALL: Aye: Clabaugh, Brown, Cope, Temple

 Nay: None

Motion Approved: 4-0

8. CONSENT AGENDA

- a. Consider Minutes of January 28, 2016 Goal Setting Session

- b. Consider Minutes of February 2, 2016 Council Worksession
- c. Consider Minutes of February 2, 2016 Council Meeting.
- d. Consider a Letter of Engagement with Ahlers & Cooney Law Firm for 2016 Public Improvements Contract proceedings.
- e. Consider Resolution No. 16-49 – Authorizing the Issuance of \$8,715,000 (dollar amount subject to change) General Obligation Bonds, Series 2016A, and levying a tax for the payment thereof.
- f. Consider authorizing the Mayor and Chief of Police to sign a Section 401, State and Community Highway Safety Grant Application through the Iowa’s Governor’s Traffic Safety Bureau to provide reimbursement to the City of Johnston for overtime, training, education materials, and equipment.
- g. Consider Resolution No. 16-36 – Acceptance of an Irrevocable Agreement for Annexation and Access to Municipal Utilities. This agreement is for property at 7155 NW 54th Avenue.
- h. Consider Resolution No. 16-39 – Adjusting Administrative salaries.
- i. Consider Resolution No. 16-38 – Approving an Interim Police Chief.
- j. Consider approval of a Purchase Order in the amount of \$9734.60 to Agriland FS, Inc. for spring fertilizer for use in various parks.
- k. Consider a Professional Service Agreement with Snyder & Associates, Inc. for the design of a Bioxide Feed System.
- l. Consider an Agreement for Professional Services with HR Green, Inc. for the design of the Green Meadows West Central Channel Stabilization project.
- m. Consider approval of out-of-state travel for Eric Melton and Molly Mauer to attend the Public Library Association Annual Conference in Denver, Colorado April 5-9, 2016.
- n. Consider Resolution No. 16-44 – Approving the acquisition of real estate interests and authorizing payments to acquire real property for the NW 57th Avenue Improvements project.
- o. Consider Resolution No. 16-37 – Approving Change Order No. 3 for the Beaver Creek Bank Stabilization No. 1 project.
- p. Consider Resolution No. 16-48 – Accepting the Beaver Creek Bank Stabilization No. 1 project.
- q. Consider approval of Pay Request No. 4 from TK Concrete in the amount of \$6714.25 for work completed as of January 5, 2016 on the Beaver Creek Bank Stabilization No. 1 project.
- r. Consider Amendment No. 1 to the agreement with Foth for the NW 60th Avenue Improvements project.
- s. Receive and file the following reports:
 - 1. Bank Reconciliation Report – January 31, 2016
 - 2. Treasurer’s Investment Report – January 31, 2016
 - 3. Year-to-Date Treasurer’s Report – January 31, 2016
 - 4. Monthly Report Summarization – January 31, 2016
 - 5. Senior Citizens Report – January 31, 2016
 - 6. Year-to-Date Building Permit Report – January 2016
 - 7. Street Division Monthly Operations Report – January 2016
 - 8. Water/Wastewater Department Monthly Operations Report – January 2016

Motion by Cope second by Clabaugh to approve the Consent Agenda.

ROLL CALL: Aye: Brown, Cope, Temple, Clabaugh
 Nay: None

Motion Approved: 4-0

9. NON-CONSENT AGENDA

- a. Consider Third and Final Reading of Ordinance No.940 – Amending Chapter 165.04 (148 and 149) of the Code of Ordinances to require a business license application process for massage businesses in Johnston; and to adopt and publish.
 Chief of Police Bill Vaughn noted that the changes requested at the Second Reading had been incorporated. He noted that the most significant of these changes would be the waiving of the fee for businesses already in existence at the July 1, 2016 implementation date.

Mayor Dierenfeld thanked Chief Vaughn and all those involved for their work on the Ordinance. Motion by Brown second by Clabaugh to approve Third and Final Consideration of Ordinance No. 940 and to adopt and publish.

Council Member Temple noted that he was still struggling with the language changes made at the Second Reading, but that he was in favor of the intent of the Ordinance.

ROLL CALL: Aye: Cope, Temple, Clabaugh, Brown
Nay: None

Motion Approved: 4-0

- b. Consider approval of Claims in the amount of \$379,514.57

Motion by Clabaugh second by Cope to approve Claims as presented.

ROLL CALL: Aye: Temple, Clabaugh, Brown, Cope
Nay: None

Motion Approved: 4-0

10. CITY ADMINISTRATOR/STAFF COMMENTS

None

11. CITY COUNCIL COMMENTS

Council Member Brown noted that this would be the last Council meeting with Chief Vaughn. Finance Director Teresa Rotschafer reminded everyone of the Open House being held to recognize Chief Vaughn on February 29, 2019 from 2:00 p.m. – 4:00 p.m. at the Public Safety Building.

Council Member Cope commended the Community Development Department and all those involved in the resolution of the hotel demolition.

Council Member Temple requested information about the updated FEMA Flood Maps. Wilwerding advised that there were no real impacts from the changes but that information would be forthcoming.

Mayor Dierenfeld requested additional information on the Vision Iowa grant request and meetings, which was provided by Parks Director John Schmitz.

12. UPCOMING MEETINGS

March 7, 2016	City Hall	Worksession 6:00 p.m. Meeting 7:00 p.m.
March 21, 2016	City Hall	Worksession 6:00 p.m. Meeting 7:00 p.m.

13. ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Paula S. Dierenfeld, Mayor

ATTEST:

Cyndee Rhames, City Clerk